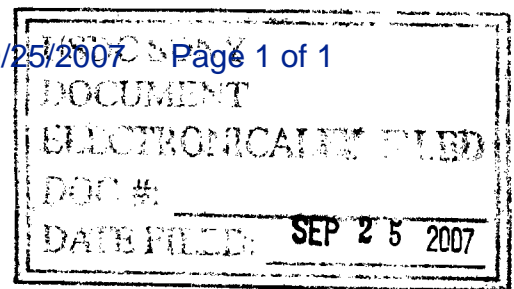


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September 19, 2007

Honorable Laura Taylor Swain
United States District Judge
500 Pearl Street
New York, NY 10007

Re: Ancona v. D & R Transport
07 Civ. 5788 (LTS)

Dear Judge Swain:

I am currently counsel for all three plaintiffs in the above action. I write in reference to the pending motion of David Horowitz pc to be substituted in place of the undersigned as counsel for plaintiff Miranda D'Ancona, and for a declaration that no fees are owed to the undersigned by plaintiff D'Ancona.

The parties have reached a partial resolution of the motion, and have agreed on a briefing schedule for the remainder of the motion.

It is agreed that David Horowitz pc will be substituted as attorney for plaintiff Miranda D'Ancona, and that my response to the portion of the motion dealing with fee entitlement will be due October 8, 2007.

It is respectfully requested that the court memo endorse the substitution and briefing schedule set forth herein.

The foregoing requests are granted.
SO ORDERED.

Respectfully,

[Signature] 9/24/2007
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE

[Signature]
A. Joseph Tandet

cc: Steve Horowitz, Esq.

MEMO ENDORSED

IT IS ORDERED that counsel to whom this Memo Endorsement is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel and unrepresented parties and filing a certificate of such service within 5 days from the date hereof. A fax such certification to Chambers.